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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/772,644

02/05/2004

Alpaslan Demir

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EXAMINER

HUANG, WEN WU

ART UNIT

PAPER NUMBER

2618

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/772,644	<b>Applicant(s)</b> DEMIR ET AL.	
	<b>Examiner</b> Wen W. Huang	<b>Art Unit</b> 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 05 February 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

Claims 1-16 are pending.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claim 8 and 13-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Nassiri-Toussi et al. (US. 7,194,011 B1 ; hereinafter "Nassiri") .

Regarding **claim 8**, Nassiri teaches a method for detecting a synchronization channel signal transmitted in a select timeslot of a system at a predetermined chip rate with a received communication signal that is sampled at twice the chip rate, the method (see Nassiri, fig. 3, primary stage 222) comprising the steps of:

identifying a chip offset within a time frame having a maximum power value (see Nassiri, col. 8, lines 16-24, slot timing with highest peak);

determining whether the chip offset was derived from an even sample or an odd sample (see Nassiri, fig. 3, samples 310 and 320) where the chip location is identified

by processing the wireless communication signal at twice the chip rate (see Nassiri, col. 6, lines 53-54);

determining if the maximum power value is above a predetermined threshold value (see Nassiri, col. 8, lines 16-20); and

outputting the chip offset such that the chip offset corresponds to the beginning of the synchronization channel where the maximum power value is above the predetermined threshold value (see Nassiri, fig. 3, slot timing, col. 8, lines 20-25).

Regarding **claim 13**, Nassiri teaches a method for identifying a base station with which a wireless transmit/receive unit may synchronize based on a previously determined primary synchronization code and code group (see Nassiri, fig. 2, gold code search stage 226), the method comprising the steps of:

identifying two midambles associated with basic midambles belonging to a previously identified code group, wherein the identified code group includes a plurality of midambles (see Nassiri, fig. 5, correlator 520; col. 10, lines 62-65);

inputting each set of midambles into a number of correlators wherein the number of correlators corresponds to the number of midambles in the identified code group (see Nassiri, fig. 5, 8 GC SEQ for group ID; col. 10, lines 50-55);

accumulating signal values of each midamble over a predetermined number of frames (see Nassiri, fig. 5, ACCM 560; col. 10, lines 62-65); and

selecting the midamble having the highest accumulated signal (see Nassiri, fig. 5, comparison 570).

Regarding **claim 14**, Nassiri also teaches the method of claim 13 wherein a 57 chip delay is imparted on one of the two midambles that are associated with a basic midamble prior to accumulation of the signal values (see Nassiri, col. 10, lines 55-57).

Regarding **claim 15**, Nassiri also teaches the method of claim 14 wherein the two midambles are accumulated in an alternating manner to avoid accumulation of midambles from a single correlator (see Nassiri, fig. 3, samples 310 and 312).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2, 4, 5, 7 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nassiri-Toussi et al. (US. 7,194,011 B1; hereinafter "Nassiri") in view of Frigon (US. 7,173,992 B2) and Yamaguchi (US Pub No. 2003/0119444 A1).

Regarding **claim 1**, Nassiri teaches a method for wireless communication initiation for a wireless transmit/receive unit configured to communicate with base stations of a wireless system where each base station transmits an identifying

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synchronization channel (SCH) signal at a predetermined chip rate in a selected portion of a system time frame (see Nassiri, abstract), the method comprising the steps of:

receiving a wireless signal including at least one SCH signal (see Nassiri, col. 6, lines 1-5);

identifying received SCH signals using a power threshold (see Nassiri, fig. 3, primary search stage 222, col. 8, lines 4-15, peak detector 350) based on a plurality of chip samples sampled at twice the chip rate (see Nassiri, col. 6, lines 53-54);

selecting an identified SCH signal for decoding (see Nassiri, col. 8, lines 16-25, highest peak); and

decoding the selected SCH signal to determine system time frame timing and base station identity (see Nassiri, fig. 4, secondary search stage 224; frame boundary and group ID; col. 8, lines 49-64) by determining a beginning of the SCH signal by identifying a chip location having a highest peak (see Nassiri, col. 8, lines 16-24, slot timing with highest peak).

Nassiri is silent to teaching that decoding the selected SCH signal by identifying a chip location having a highest signal to noise ration wherein the noise is computed using a predetermined number of chips that is less than the total number of chips in a frame. However, the claimed limitation is well known in the art as evidenced by Frigon and Yamaguchi.

In the same filed of endeavor, Frigon teaches that decoding the selected SCH signal by identifying a chip location having a highest signal to noise ration (see Frigon, col. 7, lines 18-26).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teaching of Nassiri with the teaching of Frigon in order to improve the synchronization process of cell search (see Frigon, col. 1, lines 30-35).

The combination of Nassiri and Frigon is silent to teaching that wherein the noise is computed using a predetermined number of chips that is less than the total number of chips in a frame. However, the claimed limitation is well known in the art as evidenced by Yamaguchi.

In the same field of endeavor, Yamaguchi teaches that wherein the noise is computed using a predetermined number of chips that is less than the total number of chips in a frame (see Yamaguchi, para. [0034] and [0037]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teaching of Nassiri and Frigon with the teaching of Yamaguchi.

Regarding **claim 2**, the combination of Nassiri, Frigon and Yamaguchi also teaches the method of claim 1 wherein the SCH signal is transmitted in a predetermined timeslot of a system time frame and includes a primary synchronization code (PSC) transmitted in the timeslot at a predetermined chip offset (see Nassiri, fig. 3, primary stage 222) wherein the decoding includes determining a toffset at which the selected SCH is transmitted (see Nassiri, col. 8, lines 20-24, slot timing).

Regarding **claim 4**, the combination of Nassiri, Frigon and Yamaguchi also teaches the method of claim 2 wherein the chip with the highest signal to noise ratio is selected to obtain the location of the PSC sequence (see Frigon, col. 1, lines 30-35).

Regarding **claim 5**, the combination of Nassiri, Frigon and Yamaguchi also teaches the method of claim 4 wherein the location of the PSC sequence is adjusted to identify the chip location at which the PSC sequence begins (see Nassiri, primary stage 222, col. 8, lines 16-24, slot timing with highest peak).

Regarding **claim 7**, the combination of Nassiri, Frigon and Yamaguchi also teaches the method of claim 1 further including the step of identifying whether the chip location of the PSC sequence was derived from an even sample or an odd sample (see Nassiri, fig. 3, samples 310 and 320) where the PSC sequence is identified by processing a wireless communication signal at twice the chip rate (see Nassiri, col. 6, lines 53-54).

Regarding **claim 16**, Nassiri teaches a wireless transmit/receive unit (WTRU) configured to communicate with base stations of a wireless system where each base station transmits an identifying synchronization channel (SCH) in a selected portion of a system time frame, the WTRU (see Nassiri, abstract and fig. 2) comprising:

a receiver configured to receive a wireless signal including at least one SCH signal (see Nassiri, col. 6, lines 1-5);



at least one correlator configured to identify received SCH signals using a power threshold (see Nassiri, fig. 3, primary search stage 222, col. 8, lines 4-15, peak detector 350) based on a plurality of chip samples sampled at twice the chip rate (see Nassiri, col. 6, lines 53-54);

a processor for selecting an identified SCH signal for decoding (see Nassiri, col. 8, lines 16-25, highest peak);

a processor for decoding the selected SCH signal to determine system time frame timing and base station identity (see Nassiri, fig. 4, secondary search stage 224; frame boundary and group ID; col. 8, lines 49-64) by determining a beginning of the SCH signal by identifying a chip location having a highest peak (see Nassiri, col. 8, lines 16-24, slot timing with highest peak).

Nassiri is silent to teaching that the processor for decoding the selected SCH signal by identifying a chip location having a highest signal to noise ratio wherein the noise is computed using a predetermined number of chips that is less than the total number of chips in a frame. However, the claimed limitation is well known in the art as evidenced by Frigon and Yamaguchi.

In the same filed of endeavor, Frigon teaches that the processor for decoding the selected SCH signal by identifying a chip location having a highest signal to noise ratio (see Frigon, col. 7, lines 18-26).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teaching of Nassiri with the teaching of

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Frigon in order to improve the synchronization process of cell search (see Frigon, col. 1, lines 30-35).

The combination of Nassiri and Frigon is silent to teaching that wherein the noise is computed using a predetermined number of chips that is less than the total number of chips in a frame. However, the claimed limitation is well known in the art as evidenced by Yamaguchi.

In the same field of endeavor, Yamaguchi teaches that wherein the noise is computed using a predetermined number of chips that is less than the total number of chips in a frame (see Yamaguchi, para. [0034] and [0037]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teaching of Nassiri and Frigon with the teaching of Yamaguchi.

3. Claims 9-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nassiri in view of Willenegger et al. (US. 7,035,284 B2; hereinafter "Willenegger").

Regarding **claim 9**, Nassiri teaches a method for identifying a code group representative of a predetermined number of base stations which may include a base station with which a wireless transmit/receive unit may synchronize to communicate (see Nassiri, fig. 2, secondary search stage 224), the method comprising the steps of:

inputting a chip offset within a frame into a first correlator (see Nassiri, fig. 4, correlate 420);

inputting a plurality of samples of chips at which a primary synchronization code (PSC) has been detected into the first correlator (see Nassiri, fig. 4, slot timing 410 and correlator 420);

inputting a peak PSC into a second correlator and taking the complex conjugate of the PSC (see Nassiri, fig. 4, complex correlator 430);

multiplying the output of the first correlator by the complex conjugate of the PSC to obtain a magnitude for the signals being transmitted at the chips inputted into the first correlator (see Nassiri, fig. 4, squaring unit 440, col. 9, line 67 – col. 10, line 1) ;

evaluating the summed signals view of a predetermined set of decision variables (see Nassiri, col. 10, lines 1-10); and

determining a case number, a code group, a timeslot location, and system frame number based on said evaluation and a noise estimation (see Nassiri, col. 10-25).

Nassiri is silent to teaching that comprising summing the magnitude over four frames. However, the claimed limitation is well known in the art as evidenced by Willenegger.

In the same field of endeavor, Willenegger teaches that comprising summing the magnitude (see Willenegger, fig. 9, component 408, col. 13, lines 40-44; col. 16, line 60- col. 17, line 10) over four frames (see Willenegger, fig. 6, col. 6, lines 15-25).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teaching of Nassiri with the teaching of Willenegger in order to reduce synch channel interference (see Willenegger, col. 1, lines 50-52).

Regarding **claim 10**, the combination of Nassiri and Willenegger also teaches the method of claim 9 wherein the output of the first correlator is multiplied by the complex conjugate of an estimate of the phase of a previously detected primary synchronization code (see Nassiri, col. 9, lines 55-65).

Regarding **claim 11**, the combination of Nassiri and Willenegger also teaches the method of claim 9 wherein 256 samples are input into the first correlator (see Nassiri, fig. 3, samples 310).

Regarding **claim 12**, the combination of Nassiri and Willenegger also teaches the method of claim 9 wherein 512 samples are input into the first correlator (see Nassiri, fig. 3, samples 310 and 312).

4. Claims 3 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nassiri, Frigon and Yamaguchi as applied to claim 2 above, and further in view of Willenegger.

Regarding **claim 3**, the combination of Nassiri, Frigon and Yamaguchi teaches the method of claim 2.

The combination of Nassiri, Frigon and Yamaguchi is silent to teaching that wherein the PSC having the highest power is detected by summing the peak PSC over

four frames and dividing the summed power by an estimated noise value to obtain an signal to noise ratio for each chip in a frame. However, the claimed limitation is well known in the art as evidenced by Willenegger.

In the same field of endeavor, Willenegger teaches that wherein the PSC having the highest power is detected by summing the peak PSC over four frames (see Willenegger, fig. 6, col. 6, lines 15-25) and dividing the summed power by an estimated noise value to obtain an signal to noise ratio for each chip in a frame (see Willenegger, fig. 9, component 408, col. 13, lines 40-44; col. 16, line 60-col. 17, line 10).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teaching of Nassiri, Frigon and Yamaguchi with the teaching of Willenegger in order to reduce synch channel interference (see Willenegger, col. 1, lines 50-52).

Regarding **claim 6**, the combination of Nassiri, Frigon, Yamaguchi and Willenegger also teaches the method of claim 3 wherein the step of dividing is not implemented where the signal value is less than the threshold value (see Yamaguchi, para. [0037]).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Darbel et al. (US. Pub No. 2003/0220755 A1) teach code group acquisition procedure.

Shieh et al. (US. Pub No. 2004/0057468 A1) teach a method for code group identification.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wen W. Huang whose telephone number is (571) 272-7852. The examiner can normally be reached on 10am - 6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew D. Anderson can be reached on (571) 272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

WCH  
7/9/07



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